

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

M7 Aerospace LP

Petitioner,

v.

Pictometry International Corp.

Registrant

Serial No - 76457578

Cancellation No. 92044823

Mark: VISUAL INTELLIGENCE

Registration No. 2,837,858

## ANSWER TO PETITION TO CANCEL

In answer to the Petition to Cancel in the above-entitled cause, Registrant states the following:

1. Registrant is without information sufficient to form a belief as to the truth of the allegations in Paragraph 1.
2. Admits.
3. Registrant is without information sufficient to form a belief as to the truth of the allegations in Paragraph 1.
4. Registrant is without information sufficient to form a belief as to the truth of the allegations in Paragraph 1.

## FIRST AFFIRMATIVE DEFENSE

5. Petitioner and/or its predecessor(s) in interest acquiesced to Registrant's use of the mark.



## SECOND AFFIRMATIVE DEFENSE

6. Petitioner and/or its predecessor(s) in interest are estopped from petitioning to cancel based on their prior knowledge of Registrant's use of the mark and upon their actions and omissions indicating that Registrants were free to use the mark..

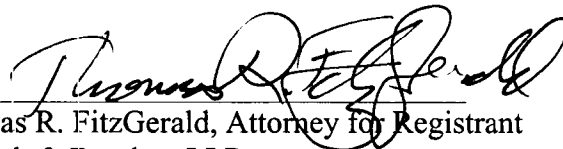
7. Petitioner and/or its predecessor(s) in interest knew the mark was published for opposition and failed to oppose.

## THIRD AFFIRMATIVE DEFENSE

8. Petitioner and/or its predecessor(s) in interest are prevented by laches from petitioning to cancel the registration based upon their individual and collective knowledge of Registrant's use of the mark and their failure to take prompt action to oppose the registration of the mark.

WHEREFORE, Registrant prays that Petitioner's Petition to Cancel be dismissed.

Respectfully submitted,

By:   
Thomas R. FitzGerald, Attorney for Registrant

Hiscock & Barclay, LLP

2000 HSBC Plaza

Rochester, New York 14604-2404

Tel: 585-295-4469 Fax: 585-295-8456

E-mail: tfitzgerald@hiscockbarclay.com

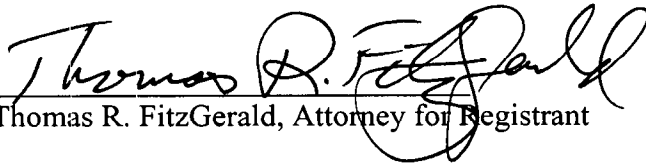
Dated: 9/20/2005

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First-Class Mail in an envelope addressed to:

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Alexandria, VA 22313-1451

On September 20, 2005.

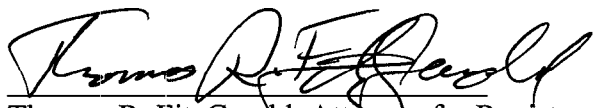
  
Thomas R. FitzGerald, Attorney for Registrant

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Answer to Petition to Cancel has been served on attorney for Petitioner,

Tim Headley  
Attorney for Petitioner  
Texas State Bar No. 09325210  
Gardere Wynne Sewell LLP  
1000 Louisiana Street, Suite 3400  
Houston, Texas 77002-5007  
Phone: 713-276-5320  
Fax: 713-276-6320  
E-mail: theadley@gardere.com

By mailing said copy on September 20, 2005, via First-Class Mail, postage prepaid.

  
Thomas R. FitzGerald, Attorney for Registrant